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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT PAPER NUMBER

2626

DATE MAILED: 05/20/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/557,913

Applicant(s)

NODA, AKIHIKO

Examiner

Saeid Ebrahimi-dehKordy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 101-128 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 101-128 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

1. Applicant's arguments with respect to claim 1-28 have been considered but are moot in view of the new ground(s) of rejection.

DETAILED ACTION

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 101-128 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okimoto et al (U.S. patent 6,449,055) in view of Neilsen (U.S. patent 6,639,687)

Regarding claim 101,108,115 and 122 Okimoto et al disclose: An information processing apparatus which communicates with a printer having a plurality of logical channels including a management channel which receives data for controlling printing of a job and a data channel which receives print data (please note Fig.1 column 6 lines 37-65). comprising: a first generating means for generating control data for controlling printing of a job (please note Fig.7 column 14 lines 26-67 and column 15 lines 1-22) a transfer control means for controlling transfer of the control data generated by said first generating means through the management channel (please note Fig.3 item 31a the print mail transmission utility column 8 lines 27-31) However Okimoto et al does not disclose: a second generating means for generating cancel data containing a cancel instruction if a cancel instruction of the print job is detected while transferring the print

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data through the data channel, wherein said transfer control means controls the transfer of the cancel data containing the cancel instruction of the print job generated by the second generating means through the data channel. On the other hand, Neilsen discloses: a second generating means for generating cancel data containing a cancel instruction if a cancel instruction of the print job is detected while transferring the print data through the data channel (please note column 9 lines 47-67 and column 10 lines 1-24 and column 6 lines 40-58), wherein said transfer control means controls the transfer of the cancel data containing the cancel instruction of the print job generated by the second generating means through the data channel (please note column 8 lines 19-36). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Okimoto et al.'s invention according to the teaching of Neilsen, where Neilsen in the same field of endeavor teaches the modifications of the transmitting unit to adjust the setting of the cancellation of the print job while spooling for the purpose of making the transmission of the print job and canceling command more efficient.

Regarding claim 102, Neilsen discloses: the information processing apparatus according to claim 101, wherein said first generating means and said second generating means comprise a packet generating means for generating packets wherein said second generating means generates a cancel packet containing the cancel instruction of the print job when said cancel instruction of the print job is detected while transferring a print data packet through said data channel and said transfer control means controls

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the transfer of said cancel packet through said data channel (please note column 9 lines 47-67 and column 10 lines 1-25).

Regarding claim 103 Neilsen discloses: The information processing apparatus according to claim 102, wherein said cancel instruction of said print job is a flag contained in a header of the cancel packet (please note column 9 lines 53-58).

Regarding claim 104 Neilsen discloses: The information processing apparatus according to claim 10 1, further comprising: a management table for managing a transfer status of a print job and a cancel controlling means for canceling a print job retained in a host computer by referencing said management table (please note column 4 lines 10-23).

Regarding claim 105 Neilsen discloses: The information processing apparatus according to claim 101, wherein said cancel data containing the cancel instruction of the print data contain dummy data (please note column 7 lines 9-26).

Regarding claim 106,113,120 and 127 Okimoto et al disclose: A printer having a plurality of logical channels including a management channel which receives control data for controlling a print job and a data channel which receives print data, comprising: a transfer device for transferring through said management channel the control data for controlling the print job generated by an information processing apparatus with which the printer communicates (please note Fig.3 item 31a the print mail transmission utility column 8 lines 27-31) and a canceling device for canceling data already received in response to receiving through said data channel by a receiving means (please note column 8 lines 34-49) However Okimoto et al does not disclose: cancel data containing

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a cancel instruction of a print job the cancel data being generated when the cancel instruction of the print job is detected while transferring, print data through said data channel, On the other hand Neilsen discloses: cancel data containing a cancel instruction of a print job (please note Fig.6 column 5 lines 23-46 and column 6 lines 40-44) the cancel data being generated when the cancel instruction of the print job is detected while transferring print data through said data channel (please note column 9 lines 47-67 and column 10 lines 1-24 and column 6 lines 40-58).

Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Okimoto et al's invention according to the teaching of Neilsen, where Neilsen in the same field of endeavor teaches the modifications of the transmitting unit to adjust the setting of the cancellation of the print job while spooling for the purpose of making the transmission of the print job and canceling command more efficient.

Regarding claim 107 Neilsen discloses: The printer according to Claim 106, wherein said cancel data containing the cancel instruction of the print data contains dummy data (please note column 7 lines 9-26).

Regarding claim 109 Neilsen discloses: The processing method according to claim 108, wherein said first generating step and said second generating step comprise a packet generating step for generating packets, wherein said second generating step generates a cancel packet containing the cancel instruction of the print job when said cancel instruction of the print job is detected while transferring a print data packet through said data channel, and said second transfer control step controls the transfer of

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said cancel packet through said data channel (please note column 9 lines 47-67 and column 10 lines 1-25).

Regarding claim 110 Neilsen discloses: The processing method according to claim 109, wherein said cancel instruction of the print job is a flag contained in a header of the cancel packet (please note column 9 lines 53-58).

Regarding claim 111 Neilsen discloses: The processing method according to Claim 108, further comprising a cancel control step for canceling a print job retained in a host computer in accordance with referencing a managing table which manages a transfer status of a print job (please note column 4 lines 10-23).

Regarding claim 112 Neilsen discloses: The processing method according to Claim 108, wherein said cancel data containing the cancel instruction of the print job contains dummy data (please note column 7 lines 9-26).

Regarding claim 114 Neilsen discloses: The processing method according to Claim 113, wherein said cancel data containing the cancel instruction of the print job contains dummy data (please note column 7 lines 9-26).

Regarding claim 116 Neilsen discloses: Computer-executable process steps according to claim 115, wherein said first generating step and said second generating step comprise a packet generating step for generating packets, wherein said second generating step generates a cancel packet containing the cancel instruction of the print job when said cancel instruction of the print job is detected while transferring a print data packet through said data channel, and said second transfer control step controls

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the transfer of said cancel packet through said data channel (please note column 9 lines 47-67 and column 10 lines 1-25).

Regarding claim 117 Neilsen discloses: Computer-executable process steps according to claim 116, wherein said cancel instruction of the print job is a flag contained in a header of the cancel packet (please note column 9 lines 53-58).

Regarding claim 118 Neilsen discloses: Computer-executable process steps according to Claim 115, further comprising a cancel control step for canceling a print job retained in a host computer in accordance with referencing a managing table which manages a transfer status of a print job (please note column 9 lines 47-67 and column 10 lines 1-15).

Regarding claim 119 Neilsen discloses: Computer-executable process steps according to Claim 115 wherein said cancel data containing the cancel instruction of the print job contains dummy data (please note column 7 lines 9-26).

Regarding claim 121 Neilsen discloses: Computer-executable process steps according to Claim 120, wherein said cancel data containing the cancel instruction of the print job contains dummy data (please note column 7 lines 9-26).

Regarding claim 123 Neilsen discloses: The computer-readable storage medium according to claim 122 wherein said first generating step and said second generating step comprise a packet generating step for generating packets wherein said second generating step generates a cancel packet containing the cancel instruction of the print job when said cancel instruction of the print job is detected while transferring a print data packet through said data channel and said second transfer control step controls

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the transfer of said cancel packet through said data channel (please note column 9 lines 47-67 and column 10 lines 1-25).

Regarding claim 124 Neilsen discloses: The computer-readable storage medium according to claim 123, wherein said cancel instruction of the print job is a flag contained in a header of the cancel packet (please note column 9 lines 53-58).

Regarding claim 125 Neilsen discloses: The computer-readable storage medium according to Claim 122, further comprising a cancel control step for canceling a print job retained in a host computer in accordance with referencing a managing table which manages a transfer status of a print job (please note column 9 lines 47-67 and column 10 lines 1-19).

Regarding claim 126 Neilsen discloses: The computer-readable storage medium according to Claim 122, wherein said cancel data containing the cancel instruction of the print job contains dummy data (please note column 7 lines 9-26).

Regarding claim 128 Neilsen discloses: The computer-readable storage medium according to Claim 127, wherein said cancel data containing the cancel instruction of the print job contains dummy data (please note column 7 lines 9-26).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Application/Control Number: 09/557,913

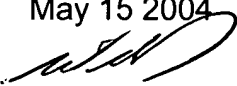
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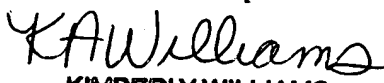
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Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
May 15 2004




KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER